

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P3731, R-25**

PROSPECT MINING & DEVELOPMENT CO., LLC

CORINTH MINE

REVISION NO. 25

P-3731-64-19-U

ALABAMA SURFACE MINING COMMISSION

P A R T I

Prepared by:

MCGEHEE ENGINEERING CORP.

P. O. Box 3431

Jasper, Alabama 35502-3431

Telephone (205) 221-0686

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P3731, R-25**

ASMC USE ONLY

Fee: _____

Bond Required: _____

Date Approved: _____

APPLICATION FOR PERMIT REVISION

Name of Permittee: Prospect Mining and Development Co., LLC.

License Number: L-661 Complete Permit Number: P-3731-64-19-U

Expiration Date of Permit: October 27, 2019 Revision Number: R-25

Mine Name: Corinth Mine

Nature of Proposed Revision:

1. Add 2.0 acres to Increment 3 for two (2) new injection well sites (#22 & #23), slurry line and access.
2. Show the correct location for injection wells # 10, 20, 21 & 22.
3. Modify the operation plan to add co-mingled refuse.
4. Modify Rock Dump No. 2 and Rock Dump No. 3 to add co-mingled refuse.
5. Update the ownership and contour mapping.

Identify any conditions placed on this permit which would relate to the proposed revision being requested:

None.

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P3731, R-25**

**STATE OF ALABAMA
SURFACE MINING COMMISSION**

- () Permit Application for a Surface Coal Mine
(XX) Permit Application for an Underground Coal Mine
() Permit Application for a Preparation Facility

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: Prospect Mining & Development Co., LLC
Street Address: 2002 2nd Avenue
City: Jasper State: AL Zip: 35501
Mailing Address: 2002 2nd Avenue
City: Jasper State: AL Zip: 35501
Telephone Number: (205) 221-2900
Social Security Number(Voluntary): - -
Employer Identification Number: 81-4731249
ASMC License#: L-788

2. ENTITY OR PERSON RESPONSIBLE FOR PAYING ABANDONED MINE LAND RECLAMATION FEES

Name: Prospect Mining & Development Co., LLC
Street Address: 2002 2nd Avenue
City: Jasper State: AL Zip: 35501
Mailing Address: 2002 2nd Avenue
City: Jasper State: AL Zip: 35501
Telephone Number: (205) 221-2900
Social Security Number(Voluntary): - -
Employer Identification Number: 81-4731249
ASMC License#: L-788

3. IDENTIFY THE OPERATOR FOR THIS MINE IF DIFFERENT FROM THE PERMITTEE

Name: SAME AS PERMITTEE
Street Address: _____
City: _____ State: AL Zip: _____
Mailing Address: _____
City: _____ State: AL Zip: _____
Telephone Number: (_____) - _____
Social Security Number(Voluntary): - -
Employer Identification Number: _____
ASMC License#: _____

4. CONTACT PERSON FOR PERMIT REVIEW ISSUES AND CORRESPONDENCE

Name: McGehee Engineering, Corp.
Mailing Address: P.O. Box 3431, 450 19th Street West
City: Jasper State: AL Zip: 35502
Telephone Number: (205) 221-0686

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P3731, R-25**

PART I B. OWNERSHIP AND CONTROL

1. PERMIT APPLICANT OWNERSHIP AND CONTROL.

At the time of filing of this application provide an update of all information contained in the applicant's license file or certify that the information contained in the license is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

A license update is included.

Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

2. OPERATOR OWNERSHIP AND CONTROL.

If someone other than the permittee has been identified as the operator under this permit, an update of the ownership and control information contained in the operator's license file must be provided or certify that the information contained in the license file is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

A license update is included.

Information contained in the license file is accurate and complete at the time of filing of this application. No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

3. CONTROL OF MINING OPERATION THROUGH CONTROL OF COAL TO BE MINED.

Provide the information below for any person or entity who owns or controls the coal to be mined under this permit and who, by lease, sublease, or other contract:

- A. has the right to receive the coal after mining, or,
- B. has the authority to determine the manner in which the operator or permittee conducts surface coal mining operations.

(USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY)

Name: Prospect Mining & Development Co., LLC
Street Address: 2002 2nd Avenue
City: Jasper State: AL Zip: 35501
Mailing Address: 2002 2nd Avenue
City: Jasper State: AL Zip: 35501
Telephone Number: (205) 221-2900
Social Security Number(Voluntary): - -
Employer Identification Number: 81-4731249
ASMC License#: L-788

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P3731, R-25**

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS

1. OWNERSHIP OF PROPERTY TO BE MINED AND RIGHT OF ENTRY.

INSTRUCTIONS:

Show the property ownership boundaries of each parcel of land in the permit area on the permit map or an overlay of the same scale as the permit map. If the surface estate is severed from the mineral estate, show and describe the ownership of each estate separately. In the spaces below, identify:

1. Every current legal or equitable owner(s) of record (as found in a standard search of title) of the property;
2. The holders of record of any leasehold interest in the property; and,
3. Any purchaser of record under a real estate contract of the property.

Describe the basis of the applicant's legal right to enter and mine on all properties contained in the permit application. If the mineral estate has been severed from the surface estate, describe the basis of the legal right to enter and mine both the surface and mineral separately. Give the nature of such right (i.e. lease, deed, contract, etc.), where recorded, describe from whom, to whom, and the date executed, and whether that right is the subject of pending litigation.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

Legal description of property or permit map symbol: _____ S-6 _____
 Surface/Mineral/or Fee Simple (both): _____ SURFACE _____
 Legal owner(s) of record: _____ PROSPECT MINING AND DEVELOPMENT CO., LLC _____
 Address: _____ 2002 2nd Avenue _____ City: _____ JASPER _____ State: _____ AL _____ Zip: _____ 35501 _____
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded)	Granted From:	Granted To:	Date Granted:	Litigation Pending ? (yes of No) If yes please explain:
Deed	Warrior Investment Co., Inc.	Prospect Mining and Development, Inc.*	6-16-16	NO

*Prospect Mining and Development, Inc. converted to Prospect Mining and Development, LLC on 12-19-2016.

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P3731, R-25**

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

=====

Page 2 of 2

=====

Legal description of property or permit map symbol: S-2 & M-2
 (SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): FEE SIMPLE

Legal owner(s) of record: ALABAMA POWER COMPANY, INC.

Address: 800 NORTH 18TH STREET City: BIRMINGHAM State: AL Zip: 35291

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded)	Granted From:	Granted To:	Date Granted:	Litigation Pending ? (yes of No) If yes please explain:
LEASE	ALABAMA POWER COMPANY, INC.	WARRIOR INVESTMENT COMPANY, INC.	08-01-93	NO
ASSIGNMENT	WARRIOR INVESTMENT COMPANY, INC.	PROSPECT MINING AND DEVELOPMENT CO., INC.*	06-03-2016	NO

*Prospect Mining and Development, Inc. converted to Prospect Mining and Development, LLC on 12-19-2016.

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P3731, R-25**

PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.
INSTRUCTIONS:

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

=====
Page 1 of 1
=====

Name: PROSPECT MINING AND DEVELOPMENT CO., LLC.
Address: 2002 2nd Avenue
City: JASPER State: AL Zip: 35501
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: ALABAMA POWER COMPANY, INC.
Address: 800 NORTH 18TH STREET
City: BIRMINGHAM State: AL Zip: 35291
Interest owned (Surface Coal or Fee Simple): FEE
Type of Interest (Owner, Lease, or Other): OWNER

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P3731, R-25**

PART I D. PERMIT AREA INFORMATION

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations. List each quarter-quarter section, section, township, range, and county.

SW/SW & SE/SW OF SECTION 29, SE/SE & SW/SE OF SECTION 30, NE/NE, SE/NE, SW/NE, NW/NE, SE/NW, NE/SW, SE/SW & NW/SE OF SECTION 31, NE/NW, SE/NW, SW/NW, NW/NW & SW/NE OF SECTION 32, TOWNSHIP 15 SOUTH, RANGE 6 WEST, NE/NW, NW/NE, NE/SW, NW/SW, SW/SW & SE/NW OF SECTION 6, NW/NW, SW/NW OF SECTION 7, TOWNSHIP 16 SOUTH, RANGE 6 WEST, SE/NE OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 7 WEST, ALL IN WALKER COUNTY, ALABAMA.

3. Give the acreage of the permit, each increment and the type of bonding.
 - a. Total permit acreage: 172.0 acres

b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
1.	<u>92.0</u>	<u>Surety Bond</u>
2.	<u>13.0</u>	<u>Surety Bond</u>
3.	<u>11.0</u>	<u>Surety Bond</u>
4.	<u>55.0</u>	<u>Surety Bond</u>
5.	<u>1.0</u>	<u>Phase 3 Bond Release</u>

c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: INC. 1

4. Has any acreage in the proposed permit area been previously disturbed by mining? (XX)YES ()NO

If yes, supply the following for any and all previously disturbed areas:

- a. Show the boundaries of the previously disturbed area(s) on the permit map and identify with an appropriate symbol.

- b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading released, or 100% released.(If no permit, indicate as such)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>Pre-law</u>	<u>89.0</u>	<u>Unreclaimed</u>
<u>P3253</u>	<u>9.0</u>	<u>Unreleased</u>
<u>P3228</u>	<u>10.0</u>	<u>100% Released</u>

5. Is disturbance to be conducted within 300 feet, measured horizontally, from an occupied dwelling? ()YES (XX)NO.

If YES, attach a signed waiver from the owner of the dwelling indicating the minimum distance disturbance will be allowed by the owner.

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P3731, R-25**

PART I D. (CONTINUED)

6. Is disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated?
() YES (XX) NO.

No additional disturbance within the 100' setback. The letter from the Walker County Commission (submitted in R-24) recognizes there were mine facilities already located within the 100' setback of the extension of the Mary Lee County Road is attached. The letter also grants permission for future maintenance of those existing facilities.

7. List all other licenses and permits required to conduct mining operations including, but not limited to, MSHA I.D. and NPDES. Give the identification or permit number, the name and address of the issuing authority, and the status or date of approval or issuance of each:

Permit	ID or Permit Number	Issuing Authority	Address	Status or date of issuance
MSHA ID	<u>01-03002</u>	<u>MSHA</u>	228 West Valley Ave. Birmingham, AL 35209	<u>10-15-93</u>
NPDES	<u>AL0066869</u>	<u>ADEM</u>	1400 Coliseum Drive Montgomery, AL 36110	Transfer Approved <u>09/01/16</u>

8. Is the property in the permit covered by zoning or other land use restrictions? () YES (XX) NO.
If yes, indicate the jurisdictional authority and zoning or land use restriction for the entire permit area. If more than one zoning classification exists for the permit area, identify the boundaries of each on the permit map.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Describe access to the proposed mine from a known point on the nearest public highway:
See the original permit.

10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application? () YES (XX) NO
If YES, list SOAP I.D. Number: _____

PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION

12. Give the name of the approved public office in which a copy of this application will be filed for public inspection following notification of completeness:
Alabama Surface Mining Commission and Alabama Surface Mining Commission website
<http://surface-mining.alabama.gov>

13. Enclose a copy of the notice of filing of this application which will appear in a newspaper of general circulation in the vicinity of the mine and identify the name of the newspaper: See Attachment I-E-13

**PROSPECT MINING & DEVELOPMENT CO., LLC
CORINTH MINE, P-3781, R-25
ATTACHMENT I-E-13**

PUBLIC NOTICE FILING OF PERMIT APPLICATION

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Prospect Mining & Development Co., LLC, 2002 2nd Ave. , Jasper, Alabama 35501 is filing an application to revise the permit at its Corinth Mine (P-3731), Underground Mine. Access to the mine is as follows:

From the intersection of Corridor X and Cordova-Gorgas Road travel south on Cordova-Gorgas Road approximately 1.4 miles to the mine entrance on the right. Signs will be posted.

SW/SW & SE/SW OF SECTION 29, SE/SE & SW/SE OF SECTION 30, NE/NE, SE/NE, SW/NE, NW/NE, SE/NW, NE/SW, SE/SW & NW/SE OF SECTION 31, NE/NW, SE/NW, SW/NW, NW/NW & SW/NE OF SECTION 32, TOWNSHIP 15 SOUTH, RANGE 6 WEST, NE/NW, NW/NE, NE/SW, NW/SW, SW/SW & SE/NW OF SECTION 6, NW/NW, SW/NW OF SECTION 7, TOWNSHIP 16 SOUTH, RANGE 6 WEST, SE/NE OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 7 WEST, ALL IN WALKER COUNTY, ALABAMA.

The nature of revision R-25 is as follows:

1. Add two acres to Increment 3 for two (2) new injection well sites (#22 & #23), slurry line and access.
2. Show the correct location for wells # 10, 20, 21 & 22.
3. Modify the operation plan to add co-mingled refuse.
4. Modify Rock Dump No. 2 and Rock Dump No. 3 to add co-mingled refuse.
5. Update the ownership and contour mapping.

A copy of the permit application is available for public inspection and review on the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov> . A copy of the permit application is also available for public inspection and review at the office of the Alabama Surface Mining Commission located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, Alabama 35501. Written comments, objections, request for public hearing or request for informal conferences concerning this permit should be sent to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, no later than 30 days from the last date of publication of this notice.

This notice to be published in the Daily Mountain Eagle.

TO THE DAILY MOUNTAIN EAGLE:

Please run this notice once a week for four (4) consecutive weeks beginning Jan. 16th, Jan. 23rd, Jan. 30th and Feb. 6th. Please send invoice and notarized proof of publication to:

Prospect Mining and Development Co., LLC
2002 2nd Ave
Jasper, AL 35501
Telephone (205) 221-2900

If you should have any questions or need additional information, please call. Also send a notarized proof of publication to:

McGehee Engineering Corp.
P. O. Box 3431
Jasper, AL 35502-3431
Telephone (205) 221-0686